

## **REMARKS**

### Summary of Interviews

#### MAY 4, 2009

The prosecution of this application, along with all but two of Applicants' copending application, was suspended for several years pending the outcome of the appeal of Application Serial Nos. 08/470,571 and 08/487,526 and the reexamination proceedings of seven related patents. Applicants inquired into the status of these applications in January, 2009, as the current six-month suspension period expired. Applicants requested that the suspension of these applications not be renewed. The Office, through Supervisory Examiner David L. Ometz indicated that the suspensions would not be renewed and that prosecution would recommence. Applicants wish to thank Examiner David L. Ometz for the courtesy of the interview held on May 4, 2009 in which Applicants' representatives and the Examiners discussed an overall plan for examination of the remaining 110 applications which relate to this application and have a common chain of priority. Applicants were informed that the Patent and Trademark Office (PTO) was developing a plan to resume examination and that Applicants would be informed when the plan was in place.

#### JULY 22, 2009

Applicants were informed in July, 2009, that a team of examiners had been assembled to examine Applicants' copending applications. Applicants appreciate the courtesies extended to Applicants' Representatives in a meeting held July 22, 2009, with the examination team. In attendance at the meeting were Thomas J. Scott, Jr. and Carl L. Benson, of Goodwin Procter and the PTO personnel identified on the attached list. Applicants' representatives made a presentation to the Examiners in attendance in accordance with the attached agenda and provided the materials attached hereto to the Examiners for their consideration and use in the further

examination of this application and the other application related to this application as identified in Tab 2 of the materials provided to the Examiners in the meeting. Applicants' representatives agreed to respond to any telephone inquiries or to be present for personal interview at the PTO in any circumstance where the Examiner believed such an interview would advance the prosecution of this application.

WINTER 2010-SPRING 2011

A series of telephonic interviews were conducted. The Examiner asserted that the claims were directed to multiple embodiments. Applicants requested that the Examiner consider independent claims 2, 5, 6, 8, 9, 200 and 210 and the claims depending therefrom. The Examiner further asserted that the claims lacked sufficient detail to distinguish over the prior art of record including U.S. Patent Nos. 4,071,697; 3,730,986; 4,768,228; 4,536,791; 4,305,101; 3,848,082; 4,573,072; 4,054,911; 4,724,491; 4,071,697 and 4,603,232. The embodiments of the invention at pages 533 *et seq.* of the specification were discussed as describing an invention that both differed from the applicants issued patents and the cited prior art. The Examiner suggested several claim amendments including additional features from this disclosure be added to several of the claims. The amendments submitted herein were agreed to distinguish the claimed invention from the prior art and applicants related patents and applications, with the exception of Application Serial No. 08/448,251. Applicant submit herewith a terminal disclaimer to Application Serial No. 08/448,251 to obviate any potential double patenting issues that may exist with this application.

## CONCLUSION

In light of the above amendments, each of the claims in this application is patentable in light of the prior art. Accordingly, the Examiner is respectfully requested issue an allowance of this application.

Dated: May 20, 2011

Respectfully submitted,

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